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Responses to Privilege



By Angelique Harris

The purpose of this essay is to compare and contrast two cases which highlight the influence that race, class, disability, and privilege play in the responses to assaults targeting disabled students.

On October 23, 2015, a group of teens allegedly tortured and sexually assaulted a special-needs teen with a coat hanger in front of other students in a locker room in Idaho (<http://www.cnn.com/2017/01/05/us/chicago-facebook-live-beating/>). These assailants forcibly inserted the coat hanger into his rectum while another repeatedly kicked the coat hanger while inside the victim, causing damage which required medical attention. This was one of many horrible assaults the victim experienced at the hands of the assailants and his football teammates. In addition to being called racial slurs, he was forced to strip naked on a school bus in front of teammates. Nonetheless, law enforcement only focused on the sexual assault. Two of the assailants were tried in juvenile court while the other, the one who kicked the hanger, was tried as an adult. All three assailants were charged with forcible penetration with a foreign object, a charge which carried the potential for life in prison. We do not know the fate of the two tried in juvenile court, but we can likely base their sentences on that of their adult teammate, the assailant tried as an adult. Ultimately, he entered a plea deal for injury to a child and received a reduced sentence. He will serve no prison time and will not have to register as a sex offender, but will serve up to three years of probation. If he successfully completes the terms of his probation, his conviction will likely be dismissed. He will officially be sentenced on February 24th of this year, and legal analysts expect the judge to accept the plea. Again, if he adheres to the terms of his probation, charges will probably be dismissed.

Compare that case in Idaho to the case in Chicago that just unfolded earlier this year. Three teens and one young adult allegedly kidnapped, beat, and tortured a special-needs teen and streamed the assault live on the social media site,

Facebook. After the victim was allegedly kidnapped, these assailants recorded the beating, kicking, and slashing of the victim for 30 minutes, all while yelling racial slurs. At one point, the assailants even carved a piece of flesh from the scalp of the victim; again, all of this, streamed live on Facebook. The alleged assailants have been charged with kidnapping, unlawful restraint, aggravated battery with a deadly weapon, and they were also charged with a hate crime. Legal analysts have suggested that these assailants can spend decades if not the rest of their lives in prison if convicted on all counts. As this incident has just recently happened – they were charged January 5th – we don't know how it will turn out just yet, but it is likely they will serve prison time.

In both cases, the alleged victims were special-needs students who were violently assaulted in front of others in attacks likely motivated by disability and race. Although both cases are similar, their responses, both in the legal court and the court of public opinion, have been quite different. The Idaho case received little national media attention when it took place back in 2015. In fact, the assault in Idaho did not receive much media attention until the light punishment (with no one facing prison time) was made public. A likely reason could be that the victim was a minor and the perpetrators, with one exception, were juveniles at the time of the crime. Whereas, in the Chicago crime the victim and alleged assailants were all 18 and over. Or the difference in response could simply be that 2015 was a long time ago, in “media time,” and with the recent election and rise in White Nationalism, there has been an increase in racially motivated attacks and more attention being paid to these assaults. So now, racially motivated assaults are getting more attention. Or it could be because the victim in the Idaho case is Black while the assailants are White, and victim in the Chicago case is White while the assailants are Black.

It is first important to note, I am not arguing that one crime is worse than the other. The concern, on the other hand, is with the response to the crimes and the types of attention received. Let's first examine the court of public opinion, otherwise known as social media. In the Chicago case, Glenn Beck and other conservative media commentators were quick to point out that the assailants were Black and blamed Black Lives Matter, using the #BLMKidnapping hashtag (<http://www.theverge.com/2017/1/5/14177494/chicago-teen-torture-facebook-live-video-black-lives-matter>), an odd association considering the assailants never mentioned BLM. It's especially odd considering that the #BLM movement is focused on addressing police brutality and emphasizing the value in Black lives, neither of which have anything to do with assaulting Whites. Conversely, although some media were quick to point out the race of the White

football players in Idaho and the Black victim, and media reported that he was made to sing KKK songs (<http://www.dailymail.co.uk/news/article-3608814/White-high-school-football-players-raped-disabled-black-teammate-coat-hanger-stripped-naked-bus-forced-sing-Ku-Klux-Klan-song.html>) while being tortured in front of his football teammates, there has been no widespread call to associate the Klu Klux Klan with this assault (and, of course, the KKK is an actual terrorist group *founded* to target and terrorize Blacks). In particular, conservative media remained silent on this case.

In terms of the legal response, I am not a legal analyst. However, it is important to note that despite all of this, the White assailants in Idaho were never charged with a hate crime. Law enforcement emphasized that one of the reasons why the victim was attacked in Chicago was because of his mental disability, not necessarily his race, and that this was the primary reason for the hate crime charge (<http://abc7chicago.com/news/hate-crime-charges-filed-against-4-in-facebook-live-torture-case/1687517/>). If this is the case, the teen in Idaho was also mentally disabled and, according to reports, targeted in part because of it. Now of course, we are looking at different cities and states with different legal statutes and such, so I am not sure as to why this was the case. It is important to note that the assailants in Chicago have been charged, but have yet to be sentenced. However, unlike the alleged assailants in Idaho, it is unlikely that the three teens and one young adult convicted in the Chicago case will be able to enter a plea deal for lesser charges or have the possibility of having their convictions dismissed.

Obviously both cases are horrible and absolutely disgusting, but the contrasting social and legal responses highlight the role that race and class play in public and legal discourse. Clearly we have two narratives: 1. good kids who made bad choices, and 2. thugs who beat and tortured a disabled kid because of his race and/or mental state. Consistently, privilege dictates which narrative gets attributed to the White assailants. So as opposed to being a group of thugs who target and tortured a disabled teen because of his race and disability, the assailants' privilege keeps them from serving prison time. The assailants in Chicago do not have the privilege or the resources to rewrite the narrative to be simply kids who made horrible choices, and, given a chance, to be able to turn their lives around. Now this is not to sympathize with any of these alleged assailants at all, but rather, to emphasize how these cases clearly serve as examples of how race and privilege help construct vastly different responses to two very similar crimes.

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